



JP

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Jussi TOMPERI et al.

Group Art Unit: 1654

Application No.: 10/574,584

Examiner: M. CORDERO GARCIA

Filed: April 4, 2006

Docket No.: 117373

For: SOMATOSTATIN RECEPTOR 1 AND/OR 4 SELECTIVE AGONISTS AND
ANTAGONISTS

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the January 16, 2008 Restriction and Election of Species Requirement, Applicants provisionally elect Group II, claims 44-51 and 54, and Applicants provisionally elect compound 17 (described in the table on page 57 of the present specification), with traverse. Applicants submit that the elected species reads on at least claims 44-51 and 54.

Applicants respectfully submit that there exists *a priori* unity of invention with respect to at least claims 44-55, by virtue of the fact that the claims of Groups II, III, and IV are directed to a product (a compound of Formula II), a process for making the product (a compound of Formula II), and a process for using the product (Group III is directed to methods of using a compound of Formula II), respectively. As stated in 37 C.F.R. § 1.475 (discussed in Section 1850 of the MPEP):

An international or a national stage application containing claims to different categories of invention **will be considered to have unity of invention** if the claims are drawn only to one of the following combinations of categories: